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6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9
10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 JAVIER LUGO LEYVA, aka JOSE JULIAN
CORDOVA OBRADOR, aka PEDRO
14 CASTRO-MEDINA,

15 Defendant.

CASE NO.: 2:18-cr-400-JAD-EJY-2

**STIPULATION TO CONTINUE
SENTENCING**

(THIRD REQUEST)

16 IT IS HEREBY STIPULATED AND AGREED, by Defendant Javier Lugo Leyva, by
17 and through his attorney, Thomas A. Ericsson, Esq., and the United States of America, by and
18 through Nicholas A. Trutanich, United States Attorney, and Kevin Schiff, Assistant United
19 States Attorney, that the sentencing hearing currently scheduled for March 16, 2020, at the
20 hour of 10:30 a.m., be vacated and continued for at least forty-five (45) days to a date and
21 time that is convenient to this Honorable Court.

22 The request for a continuance is based upon the following:

- 23 1. Due to the national health crisis because of COVID-19, the parties request that the
24 sentencing in this case be continued. Defense Counsel's firm has potentially high-
25 risk employees, and Defense Counsel is trying to minimize contact with public
spaces at this time.
- 26 2. Mr. Leyva is in custody and will be serving a minimum of a ten (10) year sentence.
27 Mr. Leyva will not be prejudiced by the continuance.
- 28

- 1 3. Counsel for Mr. Leyva has spoken with AUSA Kevin Schiff, and the Government
2 agrees to the continuance.
3 4. The additional time requested by this Stipulation to Continue Sentencing is reasonable
4 pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may, for good
5 cause, change any time limits prescribed in this rule.”
6 5. The additional time requested herein is not sought for the purposes of undue delay.
7 6. Additionally, denial of this request for a continuance could result in a miscarriage of
8 justice.

9 DATED: March 12, 2020

10 Respectfully submitted,

11 /s/ Thomas A. Ericsson
12 Thomas A. Ericsson, Esq.
13 Oronoz & Ericsson, LLC
14 1050 Indigo Dr., Suite 120
15 Las Vegas, Nevada 89145
16 Attorney for Defendant Leyva

17 /s/ Kevin Schiff
18 Kevin Schiff, Esq.
19 Assistant United States Attorney
20 District of Nevada
21 501 Las Vegas Blvd. South, Suite 1100
22 Las Vegas, Nevada, 89101
23 Attorney for the United States of America
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAVIER LUGO LEYVA, aka JOSE JULIAN
CORDOVA OBRADOR, aka PEDRO
CASTRO-MEDINA,

Defendant.

CASE NO.: 2:18-cr-400-JAD-EJY-2

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

FINDINGS OF FACT


Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Due to the national health crisis because of COVID-19, the parties request that the sentencing in this case be continued. Defense Counsel's firm has potentially high-risk employees, and Defense Counsel is trying to minimize contact with public spaces at this time.
2. Mr. Leyva is in custody and will be serving a minimum of a ten (10) year sentence. Mr. Leyva will not be prejudiced by the continuance.
3. Counsel for Mr. Leyva has spoken with AUSA Kevin Schiff, and the Government agrees to the continuance.
4. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed in this rule."
5. The additional time requested herein is not sought for the purposes of undue delay.
6. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

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ORDER

DATED: March 12, 2020.


UNITED STATES DISTRICT JUDGE